HON'BLE SMT JUSTICE T MEENA KUMARI

AND

HON'BLE SRI JUSTICE P LAKSHMANA REDDY

Rev. W.A.M.P No. 3859 of 2005

in

Writ Appeal No. 636 of 2000

ORDER (Per Hon'ble Smt. Justice T MEENA KUMARI) :

The petitioner, who is the appellant in the writ appeal, files the present miscellaneous petition under Order 47 C.P.C., seeking to review the order passed by this Court dated 02-8-2005.

Learned Standing Counsel for the review petitioner Smt B G Uma Devi, for APSRTC, submits that while disposing of the above writ appeal this Court observed that the continuity of service is only for the purpose of calculating the pension, but as there is no such scheme for pension prior to 1995 and the scheme has came into force only in 1995 and hence the order dt. 2.8.2005 needs modification.

Heard and perused the order now sought to review. As seen from the record, it discloses that this Court while modifying the order of the learned single judge, made it clear that the continuity of service of the respondent-employee is only for the purpose of calculating the pension. Now, as it was brought to the notice of this Court that there is no such scheme for pension in the review petitioner department prior to 1995 and it came into force only in the year 1995 under "Employees Pension Scheme, 1995", we deem it proper to modify our order dated 2.8.2005 passed in the writ appeal.

Accordingly, this review petition is allowed and we modify our order dated 2.8.2005 passed in W.A. No. 636 of 2000 to the effect that "the continuity of service shall be reckoned for the purpose calculating the terminal benefits as per Rules".

(T MEENA KUMARI, J)

Dt. 18.11.05

(P LAKSHMANA REDDY, J)

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HON'BLE SMT JUSTICE T MEENA KUMARI

AND

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